

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of Thursday, December 19, 2019

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Commissioner Nowak and Commissioner Huebsch. Chairperson Valcq participated via phone.

Minutes

The Commission approved the minutes of the open meeting of Thursday, December 12, 2019.

5-BS-239 - Joint Application of Wisconsin Power and Light Company and the City of Lodi, as Electric Public Utilities for Approval of a Master Territorial Agreement and First Transfer Agreement for Authority to Purchase/Sell Certain Electric Distribution Facilities and to Transfer One Customer from Wisconsin Power and Light Company to the City of Lodi Served by Facilities Located in Columbia County, Wisconsin

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

4220-TE-104 - Application of Northern States Power Company-Wisconsin, as an Electric Public Utility, for Approval of Electric Vehicle Home Service Programs

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

4220-TE-105 - Application of Northern States Power Company-Wisconsin, as an Electric Public Utility, for Approval of an Economic Development Rider

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

4280-SB-146 - Application of Northwestern Wisconsin Electric Company for Authority to Issue and Have Outstanding During 2020 Short-term Indebtedness Not to Exceed \$6.5 Million

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

5820-SB-137 - Application of Superior Water, Light and Power Company for Authority to Issue Short-Term Notes Not to Exceed \$10 Million at Any Time During 2020

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

5860-CW-100 - Application of the Village of Tennyson, as a Water Public Utility, for Authority to Construct Well House Improvements and a new Elevated Water Storage Tank, in the Village of Tennyson, Grant County, Wisconsin

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

6650-CG-266 - Application of Wisconsin Gas LLC, a Gas Public Utility, for Authority to Install Natural Gas Service in the Town of Liberty and the City of New London in Outagamie County, Wisconsin

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

1330-ER-104 - Application of Consolidated Water Power Company, as an Electric Public Utility, for Authority to Adjust Electric Rates

The Commission approved the Notice of Proceeding and directed it to be signed by the Secretary to the Commission.

5740-ER-110 - Application of the City of Stoughton, Dane County, Wisconsin, as an Electric Public Utility, for Authority to Adjust Electric Rates

The Commission approved the Notice of Proceeding and directed it to be signed by the Secretary to the Commission.

6300-WR-105 - Application of the City of Wausau, Marathon County, Wisconsin, as a Water Public Utility, for Authority to Adjust Water Rates

The Commission approved the Notice of Proceeding and directed it to be signed by the Secretary to the Commission.

6480-WR-107 - Application of the Village of Whitefish Bay, Milwaukee County, Wisconsin, as a Water Public Utility, for Authority to Adjust Water Rates

The Commission approved the Notice of Proceeding and directed it to be signed by the Secretary to the Commission.

5-UR-109 - Joint Application of Wisconsin Electric Power Company and Wisconsin Gas LLC for Authority to Adjust Electric, Natural Gas, and Steam Rates

The Commission approved the Draft Final Decision and directed it to be signed by the Secretary to the Commission.

6690-UR-126 - Application of Wisconsin Public Service Corporation for Authority to Adjust Electric and Natural Gas Rates

The Commission approved the Draft Final Decision and directed it to be signed by the Secretary to the Commission.

5-AE-213 - Application for Approval of Affiliated Interest Agreement between American Transmission Company LLC and Wisconsin Electric Power Company for Transformer Bill of Sale

The Commission approved the agreement between American Transmission Company LLC and Wisconsin Electric Power Company as filed, with all standard conditions.

The Commission directed the Division of Energy Regulation and Analysis to draft an order consistent with its discussion.

9802-CE-100 - Application for a Certificate of Public Convenience and Necessity of Point Beach Solar, LLC to Construct a Solar Electric Generation Facility, to be Located in Manitowoc County, Wisconsin

The Commission discussed this matter, determined that it was in the public interest to approve the application of Point Beach Solar, LLC (Point Beach Solar) for a Certificate of Public Convenience and Necessity (CPCN) to construct and operate a new solar photovoltaic electric generation facility, and made the following additional determinations:

1. All of the uncontested alternatives in the Final Decision Matrix ([PSC REF#: 380389](#)) were accepted.
2. The project complies with Wis. Stat. § 196.491(3)(d)6. and would not unreasonably interfere with the orderly land use and development plans for the area involved.
3. All of the primary and alternate solar array sites meet the siting criteria of Wis. Stat. §§ 196.491(3)(d)3. and would not cause undue individual hardships or adverse impacts on the environment.
4. The following conditions, in addition to the applicable standard CPCN conditions (including without limitation the standard condition that the authorization is valid for one year), shall be attached to the project as a condition of approval:

- a. Point Beach Solar shall mitigate impacts to line-of-sight communications for landowners that can show disruption to broadcast communications post construction.
- b. Point Beach Solar shall perform pre- and post-construction noise studies as described in the most current version of the Commission's Noise Measurement Protocol.
- c. Point Beach Solar shall provide an annual report of any incidents record by the Wildlife Response and Reporting Systems or other incidental wildlife monitoring to staff of the Commission and the Wisconsin Department of Natural Resources (DNR).
- d. Point Beach Solar shall use alternative fencing options that does not include the use of barbed wire or chain link around the solar array sites (excluding the collector substation).
- e. Point Beach Solar shall meet with Commission and DNR staff once project design and construction plans are complete and prior to commencement of construction in order to review planned actions and compliance with permit and order conditions. The project design and construction plans shall be submitted to Commission and DNR staff in advance of the meeting to allow sufficient time for review prior to the meeting.
- f. Point Beach Solar shall conduct pre- and post-construction stray voltage testing at any agricultural facility located within 0.5 miles of the project site, consistent with Wis. Admin. Code § PSC 128.17, and in coordination with the local distribution utility and Commission staff.
- g. Point Beach Solar shall schedule mowing activities to occur outside of the nesting window for ground-nesting birds, when feasible. If mowing is required within the May 15 to August 1 timeframe to facilitate plant maintenance, staff will be trained to look for ground nests in accordance with the Wildlife Response and Reporting System that will be developed for the project.
- h. Point Beach Solar shall apply the more restrictive of the National Electrical Code or the National Electrical Safety Code or Wis. Admin. Code ch. PSC 114.
- i. Point Beach solar shall provide a formal decommissioning plan for the project to Commission staff for review and approval prior to the commencement of construction. The decommissioning plan shall include the information and requirements Point Beach Solar has identified as standard items in its

decommissioning plans, and Point Beach Solar shall notify the Commission of any changes to the decommissioning plan after approval.

5. All commitments made by Point Beach Solar in its application, subsequent filings, and the provisions of the Commission's Final Decision in this proceeding shall apply to Point Beach Solar, and its contractors, successors, assigns, and corporate affiliates.
6. The proposed project complies with the Wisconsin Environmental Policy Act pursuant to Wis. Stat. § 1.11 and Wis. Admin. Code ch. PSC 4, and will not have undue adverse impact on other environmental values as provided under Wis. Stat. § 196.491(3)(d)4.
7. Point Beach Solar shall be granted a CPCN for the proposed project, subject to conditions.

The Commission directed the Division of Energy Regulation and Analysis to draft a final decision consistent with its discussion.

The Commission adjourned the meeting at 10:54 a.m.

A handwritten signature in black ink, reading "Steffany Powell Coker". The signature is written in a cursive, flowing style.

Steffany Powell Coker
Secretary to the Commission

DL:01712950